pearls, and also the large scale manufacture of cultured pearls in Japan. It was indeed lucky for Bahrain that oil was found in 1932, or else she would have seen her principal industry slowly decline with nothing with which to replace it. Once the oil industry was established, however, it in its turn served to precipitate the decay of the older industry by providing employment with better conditions and higher pay than were to be found on the pearl banks. The decline had also been unwittingly aided by the reforms of the late Ruler, Shaikh Hamed, who, on becoming Deputy Ruler in 1923, found the working conditions of the industry in a shocking state. The pearl banks were productive and much money was being made but little of it went to the divers, many of whom had involved themselves in a form of financial slavery to the nakhudas. Divers were given advances by the captains before the season, to provide for their families while they were away at sea, and at the end of the season, while the sales of the pearls, were being carried out. The eventual result was that the captains gave advances far in excess of the money due to the divers at the end of the season and to repay these loans the divers were forced to work for the same captain in the following season. But each year the advances were again in excess of the divers' earnings and so they got deeper and deeper into debt to the captains. At the same time the latter were indebted to shore merchants for supplies, for which they were charged high rates of interest, although this was contrary to the Sheria Law. The captains passed this interest on to the divers, who thus paid a minimum of 50% of their original debt each year. Diving debts were bequeathed, sons of divers whose fathers died owing money to captains were forced to work for them, and a diver, if he became too old to work, was only released from diving if he was replaced by his son or some other relation. In addition to this, indebted divers were often made to work on land for their creditors, or were handed over as workers to merchants to whom the nakhuda owed money.

Shaikh Hamed was determined to abolish all these practices and was supported by some of the more progressive Arabs and the Shiite and Sunni judges, who disapproved of the whole system. Amongst the bitterest opponents of the reforms were the divers themselves who were persuaded by the nakhudas and merchants into believing that they were going to lose by them. The reforms were, however, introduced and resulted in fixed advances, the amounts of which were announced annually by proclamation, the restriction of interest on advances, and all advances in excess of the legal amounts to be unreclaimable in court. The divers were also entitled to seek other work on the condition that they repaid a certain proportion of their diving debt each year. Many thousands of debts were reduced and the special diving court, which had favoured the captains and merchants, was abolished and all diving cases were heard by the ordinary courts. Finally, the debts of a diver died with him and could not be inherited by his heirs. The result of these reforms was that the industry, although reduced in size was put on a much sounder footing and its workers were not forced to dive but did so because they wanted to.

671
681
692
[698]

1. Criminal Cases, including capital offences, except cases of a trivial nature which are heard by the Small Court, are tried by the Bahrain Court. Death sentences are submitted to the Ruler for confirmation before promulgation.

2. Civil Cases, including estate cases, bankruptcy, inheritance, and divorce, are heard by the Bahrain Court, but the divorce and inheritance claims are passed on to the Shera Courts for judgment. Several very important cases have been settled by the Bahrain Court during the last ten years, including the Sindi case, in which the amount involved was over ten lacs.

3. Diving Cases. These cases are frequently referred to the Meglis Tajara, which has a special committee who are experts in diving law.

4. Land Cases. Land cases are very numerous and often very complicated, but in time they should decrease as by degrees more property is being registered in the Land Department, which reduces disputes. These cases include boundary disputes, water rights, Wakf claims, and rights of way. The local custom regarding the different divisions of water is in itself a complicated affair, and it has never been embodied in any regulation or code. All sales are registered after publication of proclamation calling on persons having a claim to the property to make it within a given time; but in addition to the proclamation, every sale or voluntary registration of ownership is submitted to the Bahrain Court after the proclamation has expired, and the court verifies, by hearing witnesses, the statement of the seller, with special regard to the interest of any women or minors. Although this may appear to be a cumbersome procedure, its value has been frequently proved by the court discovering that property of women or minors is being disposed of without the knowledge of the owners. Sales by foreigners, as well as by Bahrain subjects, pass through the Bahrain Court.

5. Fish-Trap Cases. These cases are numerous and are decided according to a local code governing the use of fish-traps. The rules of fish-trap ownership have not yet been recorded, but they are generally known to persons connected with this industry. The court usually appoints a committee to report on cases, but this practice, on the whole, is not satisfactory, as members of the committees are too susceptible to outside influence.

671
692
693

The Bahrain Small Court. The court was instituted in 1927 (1346) to relieve the Bahrain Court of some of its work. In the beginning it dealt with civil cases in which the amount concerned was not more than Rs 100/-, but in 1935 its powers were extended and it now gives judgment in cases up to Rs 400/- and also hears minor criminal cases, but not diving cases. When the court was first started it was presided over by the Assistant Adviser, Captain Parke, and the Amir of Muharraq, Shaikh Mohammed bin Jabr.

Shera Court, Sunni. In 1926 it became evident that the Sunni Kadi, Shaikh Jasim, was no longer capable of carrying out his duties on account of his age and blindness. It was found that dishonest persons were able to obtain his seal and used it for their own purposes. The Government appointed three Sunni Ulema, Shaikh Abdul Latif bin Mohammed Al-Saad of Manamah, Shaikh Abdul Latif bin Ali Al-Jowdar of Muharraq, and Shaikh Abdul Latif bin Mahmood of Hedd as Kadis, and from that time they have sat together in the Sunni Shera Court. It was found that three Kadis on one bench was more satisfactory than a single Kadi. Their work, on the whole, has been satisfactory, but the public complain, with justification, of the slowness of the court. Simple cases are often before the court for over a year before a judgment is delivered, and the court usually has between two and three hundred pending cases on hand.

Shera Court, Shia. There have been many changes in the Shia Court during the last ten years. In 1926, Shaikh Khalaf was the only Shia Kadi. He had been Kadi for many years, although he had twice been dismissed for irregular practices, but each time, after an interval, he returned to power. His influence was very great; he was regarded as almost divine. In 1926, charges of accepting bribes and misappropriation were brought against him and proved in the court. He was finally dismissed and ordered to leave Bahrain. He retired to Iraq for some years, but eventually returned to Bahrain, where he is now living.

30: Gt. Britain G-5 (ca. 1918) 1920 MJ1 Saudi Arabia
BAHRAIN MZ2

Government and Administration

The rule of the Sheikh, which is personal, is directly exerted over the part of Bahrein adjacent to Manāmah, and over the island of Muharraq, where he resides except during the four hottest months of the year. His authority over the rest of the principality is little more than nominal, for the land is divided among various relatives of his own, who hold it as almost independent fiefs, collecting their own taxes, and administering their own justice. Thus the islands of Sitrah and Nebi Sālih, with all the villages on the E. side of Bahrein to the S. of Khōr el-Kabb, and the inland villages of Rifā' esh-Sharqi and Rifā' el-Gharbi, are held by the Sheikh's brother Khālid. The subtraction of all this territory considerably reduces the Sheikh's revenue, which is derived not only from customs, but also from agricultural duties, taxes on pearl-boats, judicial fees, and rent of town lands, shops, or *khāns*. The Sheikh is assisted in the government by a *wazīr*, whose aid is all the more necessary, as the ruler is frequently absent on the mainland, chiefly for sporting purposes. In the towns of Manāmah and Muharraq there are deputy governors with the title of *emīr*.

631
643

Justice, in criminal cases and important civil cases, is administered on behalf of the Sheikh by a chief qādhi. The treatment of minor cases depends upon the religious belief of the parties: if both are Sunnis, they go before the (Sunni) Sheikh of Muharraq: if both are Shiahs, before the (Shiah) Sheikh of Manāmah. There are, in addition, seven other qādhis permitted to adjudicate upon cases referred to them by agreement.

692
795

Mercantile cases, especially those in which foreigners are concerned, are decided by a tribunal variously called *Mejlis el-'Urfi* or *Mejlis et-Tijārah*, a Customary or Commercial Court, with permanent members nominated by the Sheikh in consultation with the British Political Agent. When one or more of the parties to a case is a British subject, or when none of them are Bahrein subjects, the Mejlis is usually convoked by the Agent, and sits at the Agency, a representative of the Sheikh being permitted to attend. Cases arising out of pearl-diving operations are settled by a special board of arbitration known as the *Sāffat el-Ghaus*.

698

Recent History and Present Politics

643
648

Although the Sheikhs of the Khalīfah family had been in direct relations with us since 1805, and under treaty since 1820, another sixty years elapsed before the ruler of Bahrein entered into a binding